

Michael B. Hancock
Mayor



City and County of Denver

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April 19, 2019

Mayor London Breed
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Mayor Breed:

I write to you as part of our collaboration in the Government for Responsible U.S. Cannabis Policy Coalition. My administration is now aware that legal residents are being denied naturalization and a path to citizenship for having worked in the cannabis industry, which is legal under state law. I fear this is happening in your city too and you may not be aware.

Earlier this month, I met two legal immigrants – one from Lithuania, the other from El Salvador – who shared heartbreaking stories with me. Both have lived in the U.S. for more than two decades, have no criminal history, and want to officially become U.S. citizens. Both were denied naturalization solely because of their past or present employment in the cannabis industry in Denver. They said immigration officials trapped them, without an attorney present, into admitting they violated federal law. They now face the very real risk of losing their legal status should they encounter federal law enforcement officials again. This is wrong.

I presented my concerns to U.S. Attorney General William P. Barr in the attached letter. I requested formal guidance from the U.S. Department of Justice (DOJ) to clarify and adjust policies that would bar an entire segment of our population from working in this burgeoning industry. Moreover, I asked that the DOJ uphold Colorado's state rights by respecting our voters who agreed to decriminalize marijuana nearly two decades ago. Today, we received that guidance from USCIS and fundamentally disagree with the agency's position that working in the cannabis industry precludes an immigrant from proving they have good moral character.

Denver certainly understands the need for federal laws that regulate citizenship and immigration, but we also recognize that old federal laws need to change. To date, more than 30 U.S. states have chosen to fully or partially legalize marijuana. Yet, in a renewed effort, the federal government apparently has chosen not to honor those decisions despite this administration's public statements about supporting states' rights. In addition, it's clear that many immigrants are unaware of this federal position and the negative consequences that could result from working in an otherwise legal industry. Our City Attorney's Office has taken steps to encourage marijuana businesses and state agencies to warn potential job applicants, through a public information campaign, of the risks.

As you and I know both know, support for the cannabis industry is increasingly crossing socioeconomic and party lines. That's why I urge you to uncover these latest injustices in your community and join me in standing up against them.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Hancock", followed by a long horizontal line extending to the right.

Michael B. Hancock
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